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September 22, 1970

Dr. G. Esler Inskip
Assistant Patent Officer
Philip Morris
Research Center
P. O. Box 3D
Richmond, Virginia 23206

Re: PREPARATION OF RECONSTITUTED TOBACCO
Our File: 582-584
Your File: PM 524

Dear Les:

We are herewith enclosing an application in draft form for the attention of the inventor, Dr. Deszyck. We would appreciate a careful study of the application for any changes or suggestions that seem to be necessary.

2. We call your attention to a number of matters requiring expansion or additions or merely explanation. Our first question involves page 5, starting with line 21 and extending to page 6, line 18. Are the statements made in this paragraph essentially accurate or acceptable, or are they too conjectural to be mentioned? It seemed to us that the acids having flavoring characteristics had a different function from such acids as oleic or stearic acids.

3. On page 6, note the complete paragraph starting with line 19. We have included gluconic acid along with the other acids since the disclosure made to us seemed to indicate the acid was useful, and we assumed that calcium or magnesium gluconate would be water-insoluble in an ammonium hydroxide environment. Note the sentence on page 4, lines 12 to 15. We have also added lauric acid; but if this was improperly done, please let us know. Note also the fact that we have indicated that a mixture of different acids could be used (page 6, lines 23-25). Was this not within the inventor's

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Dr. G. Esler Inskeep

- 2 -

September 22, 1970

concept?

4. On page 7 and elsewhere, we have left gaps to be filled in by the inventor for a more complete description of the invention.

5. On page 8, we have decided to include the use of ammonium hydroxide by itself since we could find no prior art teaching its use. Do you know of any? We decided to use it since the theory was supplied that natural acids are present in at least certain types of tobacco. Note further that we have said that such a scheme would be used if the acids are in sufficiently high concentration. We think it would be advisable to indicate the minimum concentration of acids present naturally that would permit the use of ammonium hydroxide without the addition of extraneous acids.

6. On page 15, note that we have added an example substantially along the lines given to us by telephone. The inventor should make sure we have stated the proper conditions in the example.

7. Attention is called to Example 10, also on page 15, which was part of the original disclosure dealing with the use of ammonium hydroxide, presumably with the natural acids in the tobacco dust. We have indicated the pH of the dust was 5.7, as originally stated; and we wonder whether we could state what acids or anions were present to affect the acid reaction.

8. With respect to the proposed claims, note the broadest claim 1 reciting method and claim 9 involving the broadest product claim. We are essentially concerned with any possible prior art known to Philip Morris that might affect allowability of these claims, particularly product claim 9. Any prior art that might be used as a basis for rejection under Section 102 (fully met) or 103 (obviousness) should be called to our attention.

9. Please also keep in mind that our product claims which might cover Ca and Mg citrates, malates, etc. in tobacco might conflict with the three still unfiled applications based on 582-592 (PM 519). The product claims here should be compared with the disclosure in PM 519 and at least an order of filing or simultaneous filing should be considered.

10. You will also recall that it was our plan to file this

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Dr. G. Esler Inskeep

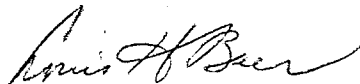
- 3 -

September 22, 1970

application before filing the application dealing with coffee bean hull fillers, PM 539 (our file 582-704). You should be getting that application soon for review also.

With kind regards.

Very truly yours,



Louis H. Baer

LHB:jp
Enclosure

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